

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF  
WASHINGTON AT SEATTLE

JOHN DOE, on behalf of his minor child JACK  
DOE, and on behalf of others similarly situated,

Plaintiff,

v.

FRED HUTCHINSON CANCER CENTER;  
UNIVERSITY OF WASHINGTON SCHOOL  
OF MEDICINE; UW MEDICAL CENTER;  
HARBORVIEW MEDICAL CENTER;  
VALLEY MEDICAL CENTER; UW  
PHYSICIANS; UW NEIGHBORHOOD  
CLINICS(d/b/a UW MEDICINE PRIMARY  
CARE); AIRLIFT NORTHWEST; and  
CHILDREN'S UNIVERSITY MEDICAL  
GROUP,

Defendants.

NO. 2:23-cv-01893-JHC

**ORDER GRANTING JOINT  
MOTION TO CONSOLIDATE  
RELATED CASES**

ROBERT AYERS, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

FRED HUTCHINSON CANCER CENTER,

Defendant.

NO. 2:23-cv-01916-JHC

1 JONATHAN HUNTER, individually and on  
2 behalf of all others similarly situated,

NO. 2:23-cv-01988-JHC

3 Plaintiff,

4 v.

5 FRED HUTCHINSON CANCER CENTER, a  
6 Washington Nonprofit Corporation,

7 Defendant.

8 GARY HOLZ, JOEL GUAY, and GLORIA  
9 MONCRIEF, individually and on behalf of all  
10 others similarly situated,

NO. 2:23-cv-01998-JHC

11 Plaintiff,

12 v.

13 FRED HUTCHINSON CANCER CENTER, a  
14 Washington Nonprofit Corporation,

15 Defendant.

16 This matter comes before the Court on Plaintiffs' Unopposed Joint Motion to  
17 Consolidate. (Dkt. No. 5.) The plaintiffs in four different actions filed against Defendant Fred  
18 Hutchinson Cancer Center ask the Court to consolidate all four into a single action. Having  
19 reviewed the Motion and all supporting materials, and having noted the lack of any opposition,  
20 the Court GRANTS the Motion and ORDERS that the above-captioned cases be consolidated  
21 for all purposes.

22 1. Under Rule 42(a), the Court may consolidate cases that involve common  
23 questions of law or fact. Fed. R. Civ. P. 42(a). The Court enjoys broad discretion in making this  
24 determination. *Pierce v. County of Orange*, 526 F.3d 1190, 1203 (9th Cir. 2008); *see also*  
25 *Pedraza v. Alameda Unified Sch. Dist.*, 676 Fed. App'x 704, 706 (9th Cir. 2017). When  
26 determining whether a motion to consolidate should be granted, this Court typically weighs  
several factors, including considerations of "judicial economy, whether consolidation would

1 expedite resolution of the case, whether separate cases may yield inconsistent results, and the  
2 potential prejudice to a party opposing consolidation.” *Pecznick v. Amazon.com, Inc.*, No. 2:22-  
3 cv-00743, 2022 WL 4483123, at \*3 (W.D. Wash. Sept. 27, 2022); *see also* 9 Charles Alan  
4 Wright & Arthur R. Miller, Federal Practice and Procedure: Civil § 2383 (3rd ed. 2020).

5         2. Consolidation is appropriate here given that the four actions present common  
6 questions of law and fact and there are substantial efficiencies to be gained. All four actions  
7 concern the same data breach resulting from a cyber-attack on Fred Hutchinson Cancer Center.  
8 And plaintiffs pursue the same or similar causes of action against Fred Hutchinson Cancer  
9 Center on behalf of overlapping proposed classes. Consolidation for all purposes will further  
10 conserve party and judicial resources. Fred Hutchinson has not voiced any opposition, and the  
11 Court is unaware of any inconvenience, delay, confusion, or prejudice that may result from  
12 consolidation. As such, the Court GRANTS the Motion and consolidates all four actions.

13         3. All filings in this consolidated action shall be filed on the docket of the first-  
14 filed case (2:23-cv-01893) and use the following caption: *In re Fred Hutchinson Cancer Center*  
15 *Data Security Litigation*.

16         4. Any action subsequently filed in, transferred to, or removed to this Court that  
17 arises out of the same or similar operative facts as the Consolidated Action, shall be  
18 consolidated with the Consolidated Action for pre-trial purposes. The Parties shall file a Notice  
19 of Related Action whenever a case that should be consolidated into this action is filed in,  
20 transferred to, or removed to this District.

21         5. If the Court determines that the case is related, the clerk shall:

- 22             a. Place a copy of this Order in the separate filed for such action;
  - 23             b. Serve on Plaintiffs’ counsel in the new case a copy of the Order;
  - 24             c. Direct that this Order be served upon Defendant(s) in the new case; and
  - 25             d. Make appropriate entry in the Master Docket.
- 26

6. Plaintiffs shall confer and propose a schedule for filing a Consolidated Amended Complaint no later than ten (10) days following the entry of this Order.

7. This Order shall apply to the above-captioned matters, any subsequently consolidated action, any actions consolidated with the above-captioned matters, and any actions filed in or transferred or removed to this Court relating to the fact and the data breach underlying this litigation.

**IT IS SO ORDERED.**

DATED: January 5, 2024



THE HONORABLE UNITED STATES  
DISTRICT COURT JUDGE FOR THE  
WESTERN DISTRICT OF WASHINGTON

Presented By:

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